

## KEY CLAUSES<sup>1</sup> IN EMPLOYMENT ACT ON CORE PROVISIONS AND ADDITIONAL PROTECTION

### Core Provisions

#### Part II [Contracts of Service]

	Key Excerpts of Provisions
Section 14 (S14) [Dismissal]	<ul style="list-style-type: none"> <li>An employer may after due inquiry dismiss without notice an employee on the grounds of misconduct.</li> <li>Where a relevant employee<sup>^</sup> considers that he has been dismissed without just cause or excuse by his employer, he may appeal to the Minister for Manpower to be reinstated in his former employment.</li> </ul> <p><sup>^</sup>For purposes of S14, a relevant employee refers to (a) a manager or executive who is dismissed with notice or with salary in lieu of notice who has served the employer for at least 12 months; (b) a manager or executive who is dismissed without notice and without salary in lieu of such notice; and (c) an employee who is not a manager or executive.</p>

#### Part III [Payment of Salary]

	Key Excerpts of Provisions
S21 [Time of payment]	<ul style="list-style-type: none"> <li>Employer must pay salary at least once a month and within 7 days after end of salary period</li> <li>Additional payments for overtime work shall be paid within 14 days after end of salary period</li> </ul>
S27 [Authorised deductions]	<ul style="list-style-type: none"> <li>Employee salary can be deducted for reasons such as (i) absence from work, (ii) damage to or loss of goods or money, (iii) cost of meals, (iv) accommodation, amenities &amp; services, (v) recovering advances, loans or overpaid salary.</li> </ul>
S32 [Deductions not to exceed prescribed limit]	<ul style="list-style-type: none"> <li>Employer cannot deduct more than 50% of total salary payable in any one salary period<sup>^</sup>. However, when contract is terminated or upon completion of contract of service, deduction from last salary payment may exceed 50% for authorised deductions.</li> </ul> <p><sup>^</sup>Deductions made for the following do not count towards the 50%: (i) absence from work, (ii) recovery of advances, loans or overpaid salary, and (iii) payments with employee's consent to registered cooperative societies</p>

<sup>1</sup> Please refer to the Employment Act (Chapter 91) for full provisions

	for subscriptions, entrance fees, loan instalments, interest and other dues payable by the employee to such societies.
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### Part IX [Maternity Protection and Benefits and Childcare Leave for Parent]

	Key Excerpts of Provisions
S76 [Length of benefit period]	<ul style="list-style-type: none"> <li>Female employees are entitled to <b>12 weeks</b> of maternity leave</li> <li>The <b>first 8 weeks</b> of maternity leave are paid.</li> <li>The <b>last 4 weeks</b> of maternity leave are unpaid</li> </ul>
S81 [Dismissal during absence prohibited]	<ul style="list-style-type: none"> <li>Offence for an employer to dismiss an employee while she is on maternity leave</li> </ul>
S84 & S84A [Right to Benefit]	<ul style="list-style-type: none"> <li>For employee who has served an employer for at least 3 months, her right to the maternity benefit will not be affected by notice of dismissal given (i) without sufficient cause, or (ii) on grounds of redundancy or by reason of reorganization of employer's profession, business, trade or work.</li> </ul>
S87A [Childcare leave for parent]	<ul style="list-style-type: none"> <li>For an employee who has served an employer for at least 3 months, and has any child below the age of 7, the employee is entitled to 2 days of childcare leave a year.</li> </ul>

### Part X [Holiday and Sick Leave Entitlements]

#### S88 [Holidays]

	Key Excerpts of Provisions
S88 (1) Entitlement	<ul style="list-style-type: none"> <li>Every employee shall be entitled to 11* paid public holidays in a year</li> <li>Employer and employee can mutually agree to substitute the paid public holiday with another working day.</li> </ul>
S88 (4) Work on a holiday	<ul style="list-style-type: none"> <li>By default, if required by employer to work on any public holiday, employee shall be paid an extra day's salary at the basic rate of pay.</li> </ul>
S88 (4A) Managerial or executive position	<ul style="list-style-type: none"> <li>If employee is in a managerial or executive position and is required to work on a public holiday, he shall be paid for that day and employer may grant him time off in lieu for working on that public holiday. The time off should consist of a mutually agreed number of hours.</li> </ul>

\*The 11 public holidays are stated in the Holidays Act

## S89 [Sick Leave]

	<b>Key Excerpts of Provisions</b>
S89(1) Entitlement to paid sick leave	<ul style="list-style-type: none"><li>• Any employee who has served an employer for at least 3 months is entitled to paid sick leave (max 14 days) and hospitalisation leave (max 60 days).</li><li>• Sick leave should be certified by a company-approved doctor or government doctor.</li><li>• Employer must bear cost of medical consultation fee.</li></ul>

Additional protection for more vulnerable employees

**Part IV [Rest Days, Hours of Work and Other Conditions of Service]**

**S37 [Work on Rest Day]**

If work is done...	Payment for working up to half the normal daily working hours	Payment for working more than half the normal daily working hours	Payment for working beyond the normal daily working hours
(2) At employee's request	Half day's salary	1 day's salary	1 day's salary + overtime pay
(3) At employer's request	1 day's salary	2 days' salary	2 days' salary + overtime pay

**S38 [Hours of Work]**

	Provisions
(1) Limit of hours	<ul style="list-style-type: none"> <li>Employee is generally not required to work more than 6 consecutive hours without a break</li> <li>Employee is generally not required to work more than 8 hours a day or more than 44 hours a week</li> </ul>
(4) Payment for extra work	<ul style="list-style-type: none"> <li>Employee must be paid at least 1.5 times the hourly basic rate of pay for overtime work</li> </ul>
(5) Limit of overtime	<ul style="list-style-type: none"> <li>Employee not allowed to work more than 72 overtime hours in a month</li> </ul>
(6) Calculation of overtime pay	<ul style="list-style-type: none"> <li>The overtime rate payable for non-workmen is capped at the salary level of \$2,250, or an hourly rate of \$11.80</li> </ul>
(8) Daily maximum	<ul style="list-style-type: none"> <li>Employee not allowed to work more than 12 hours a day</li> </ul>

**S43 [Annual Leave]**

	Provisions
S43(1) Entitlement to annual leave	<ul style="list-style-type: none"> <li>Any employee who has served an employer for at least 3 months is entitled to 7 days of paid annual leave for first 12 months of service</li> <li>Additional one day for every subsequent 12 months (total cannot exceed 14 days)</li> </ul>

S43(6) When leave to be taken	<ul style="list-style-type: none"><li>• Such leave can be forfeited if not taken within 12 months after end of every 12 months of service</li></ul>
S43(7) Leave payment	<ul style="list-style-type: none"><li>• If dismissed (other than for misconduct), employee can encash unused leave</li></ul>